

Docket Item #4-B
MASTER PLAN AMENDMENT #97-0004
REZONING #97-0004
4500 WHEELER AVE.

Planning Commission Meeting
March 2, 1999

ISSUE: Consideration of a request for an amendment to the Seminary Hill/Strawberry Hill Small Area Plan Chapter of the 1992 Master Plan to change the land use designation and to change the zoning designation of the subject property from UT/Utilities and Transportation to I/Industrial.

APPLICANT: AMT, LLC/Kathmar Construction Inc.
by Nan E. Terpak, attorney

LOCATION: 4500 Wheeler Avenue

CITY COUNCIL ACTION, MARCH 13, 1999: City Council approved the recommendation of the Planning Commission and approved the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

PLANNING COMMISSION ACTION, MARCH 2, 1999: By unanimous consent, the Planning Commission recommended approval the request, subject to compliance with all applicable codes, ordinances and the staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

PLANNING COMMISSION ACTION, JUNE 2, 1998: The Planning Commission noted the deferral of the request.

PLANNING COMMISSION ACTION, OCTOBER 7, 1997: The Planning Commission noted the deferral of the request.

PLANNING COMMISSION ACTION, SEPTEMBER 2, 1997: By unanimous consent, the Planning Commission deferred the request.

Reason: The applicant requested the deferral.

MPA 97-0004
REZ 97-0004

STAFF RECOMMENDATION:

Staff recommends **approval** of a master plan amendment and a zoning map change designation of the subject site from UT/Utilities and transportation to I/Industrial.

BACKGROUND

The applicant, AMT, LLC/Kathmar Construction, is requesting approval of a master plan amendment and a rezoning in conjunction with a subdivision request (SUB#97-0009) and special use permit (SUP#98-0176), in order to purchase non-operating railroad right-of-way property owned by Commonwealth Atlantic Properties Inc., previously the RF&P Corporation. The subject property is a narrow portion of land containing 4.9 acres (212,969 sq.ft.) approximately 1,723 ft. in length with a maximum width of 120 ft. at its widest point tapering down to a point at the western end of the site. The length of the property runs contiguous to the southern edge of properties containing warehouses in the 3900 to 4400 block of Wheeler Avenue.

Originally filed in 1997, this application has been on hold pending resolution of a dispute over access rights to the property, which has no public street frontage. The applicant has now secured an agreement for providing an access easement to the subject site across the property located at 4100 Wheeler Avenue.

Because the subject site was part of the railroad's holdings, the site was designated UT/ Utility and Transportation during the 1992 master plan and rezoning process. The UT zone restricts use of the property to utility and transportation purposes only. For many years the RF&P Corporation and its successor, Commonwealth Atlantic Properties has leased sections of the subject property to various companies, primarily for the storage of construction equipment. The applicant is a current lessee of a portion of the property, and the contract purchaser of the entire site. The purchase is contingent upon a successful rezoning and subdivision of the property. The applicant has no immediate plans for the land other than to continue using a portion of the site to store construction equipment and to continue leasing the remainder of the site to other current occupants, Pierce and Associates and the Joe Lewis Trucking Company, although the applicant believes that the Joe Lewis Trucking may be in the process of leaving the site.

It is not clear whether the existing uses on the site are illegal or noncomplying. The applicant and the railroad say the property has been utilized in the current manner for at least twenty years, but the specific time period is unknown. If the land was used for the storage of construction equipment before 1952, the use is now noncomplying. If it began after 1952, it is illegal. In any case, with the proposed rezoning to I/Industrial, the uses will become permitted uses with special use permit approval. The prospective purchaser has submitted an application for special use permit approval of their construction equipment storage operation in order to bring the site into compliance with the zoning ordinance. They have also indicated that, once they own the property, they will ensure that all other lessees on the site seek all necessary and required City approvals.

The Master Plan for this area designated the land UT/Utilities and transportation based on the

ownership and boundaries of the railroad property. It was not anticipated that a portion of the site would be subdivided for future sale. However, if the subject property is to be removed from the operating railroad parcel and changed to I/Industrial, it will be consistent with the goals of the Seminary Hill/Strawberry Hill Small Area Plan that designates all the properties along Wheeler Avenue as I/Industrial.

Staff is supporting the proposed master plan amendment and rezoning because the designation is consistent the general master plan and adjacent uses of properties along Wheeler Avenue.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning;
Kimberley Johnson, Chief, Development;
Gregory Tate, Urban Planner.

RESOLUTION NO. MPA-97-0004

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City of Alexandria and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, an application for amendment to the Seminary Hill/Strawberry Hill Small Area Plan section of the 1992 Master Plan was filed with the Department of Planning and Zoning on July 8, 1997 for changes in the land use designations to the parcels at 3900- 4400 Wheeler Avenue; and

WHEREAS, the Department of Planning and Zoning has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on March 2, 1999 with all public testimony and written comment considered; and

WHEREAS, the Planning Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the Seminary Hill/Strawberry Hill Small Area Plan section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the Seminary Hill/Strawberry Hill Small Area Plan section of the 1992 Master Plan; and
3. The proposed amendment shows the Planning Commission's long-range recommendations for the general development of the Seminary Hill/Strawberry Hill Small Area Plan; and
4. Based on the foregoing findings and all other facts and circumstances of which the Planning Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the Seminary Hill/Strawberry Hill Small Area Plan section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to

the Seminary Hill/Strawberry Hill Small Area Plan section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

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Change the designation of parcels at 3900-4400 Wheeler Avenue from UT/Utilities and Transportation to I/Industrial.

2. This resolution shall be signed by the Chairman of the Planning Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council.

ADOPTED the 2nd day of March 1999.

W. B. Hurd, Chairman

ATTEST:

Sheldon Lynn, Secretary